

Notice of Allowability**Application No.**

10/045,678

Applicant(s)

BENAZZI ET AL.

Examiner

Cam N Nguyen

Art Unit

1754

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 12/01/03 CAN
1. ☒ This communication is responsive to an amendment/response filed on 10/21/03 & a telephone communication on 12/5/03.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No. _____.
- (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
- (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Cam Nguyen
12/10/03

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with **Mr. Bill Nunan** on **December 10, 2003**.

2. The application has been amended as follows:

In the Claims

Claim 1, line 2, --material-- has been inserted after "silica-alumina".

Claim 1, line 3, --wherein-- has been inserted before "said silica-alumina".

Claim 1, line 3, --material-- has been inserted after "silica-alumina".

Claim 1, line 5, "is" has been changed to --of--.

Claim 1, line 10, --of-- has been inserted before "greater than".

Claim 1, line 12, --of-- has been inserted before "greater than".

Claim 2, line 1, "in which" has been deleted and replaced thereof with --wherein--.

Claim 2, line 2, --and-- has been inserted before "wherein".

Claim 2, line 3, "20" has been changed to --20%--.

Claim 3, line 2, "," has been deleted.

Claim 3, line 3, -- , -- has been inserted after "groups".

Claim 5, line 2, "that is" has been deleted.

Claim 5, line 2, --the group consisting of elements-- has been inserted before "among".

Claim 7, line 2, "binder" has been changed to --a binder--.

Claim 10, line 1, --of feedstocks-- has been inserted after "hydrocracking".

Claim 10, line 2, "that is" (first occurrence) has been deleted and replaced thereof with --of--.

Claim 10, line 2, "that is" (second occurrence) has been deleted and replaced thereof with --of--.

Claim 10, line 3, "with" (first occurrence) has been deleted.

Claim 10, line 3, "with" (second occurrence) has been deleted.

Claim 11, line 1, "for the hydrocracking of feedstocks" has been deleted and replaced thereof with --, wherein said feedstocks are--.

Claim 11, line 4, --and-- has been inserted before "deasphalted crudes".

Claim 11, line 4, "crudes," has been changed to --crudes;--.

Claim 13, line 2, --and-- has been inserted before "said catalyst".

Claim 13, line 3, "being" has been changed to --is--.

Claim 18, line 2, "binder" has been changed to --a binder--.

Claim 23, line 1, --of feedstocks-- has been inserted after "hydrocracking".

Claim 23, line 2, "that is" (first occurrence) has been deleted and replaced thereof with --of--.

Claim 23, line 2, "that is" (second occurrence) has been deleted and replaced thereof with --of--.

Claim 23, line 2, "with" has been deleted.

Claim 23, line 3, "with" has been deleted.

Claim 24, line 1, --of feedstocks-- has been inserted after "hydrocracking".

Claim 24, line 2, "that is" (first occurrence) has been deleted and replaced thereof with --of--.

Claim 24, line 2, "that is" (second occurrence) has been deleted and replaced thereof with --of--.

Claim 24, line 2, "with" has been deleted.

Claim 24, line 3, "with" has been deleted.

3. Claims 10-14 were previously withdrawn. They have now been rejoined with the elected product claims 1-9 & 15-20 since the elected product claims are found allowable. Claims 21-24 have been added.

Claims 1-24 are now pending in this application.

Conclusion

4. Claims 1-24 are pending. Claims 1-24 are allowed.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Cam Nguyen, whose telephone number is

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(703) 305-3923. The examiner can normally be reached on M-F from 8:30 am. to 6:00 pm, with alternative Monday off.

The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) 872-9310 (before finals) and (703) 872-9311 (after-final).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

A handwritten signature in cursive script, reading "Cam Nguyen", written over a horizontal dashed line.

Cam Nguyen

Primary Examiner

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Nguyen/cnn *CAN*

December 10, 2003